



AMENDMENT TRANSMITTAL LETTER			DOCKET NUMBER: 66797-073	
SERIAL NO: 09/203,768	FILING DATE: December 2, 1998	EXAMINER: Larry R. Helms	GROUP ART UNIT: 1642 CONFIRMATION NO.: 4594	
INVENTION: TUMOR SPECIFIC HUMAN MONOCLONAL ANTIBODIES AND METHODS OF USE				

TO: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING BY "EXPRESS MAIL"
"EXPRESS MAIL" MAILING LABEL NUMBER: EV 401 711 572 US
DATE OF DEPOSIT: March 3, 2004

MAR 09 2004

I HEREBY CERTIFY THAT THIS PAPER OR FEE IS BEING DEPOSITED
WITH THE UNITED STATES POSTAL SERVICE "EXPRESS MAIL POST
OFFICE TO ADDRESSEE" SERVICE UNDER 37 CFR 1.10 ON THE DATE
INDICATED ABOVE AND IS ADDRESSED TO COMMISSIONER FOR
PATENTS, P.O. BOX 1450, ALEXANDRIA, VIRGINIA 22313-1450.

Leonard Bontedes
Printed Name of Person Mailing Paper or Fee

[Signature]
Signature of Person Mailing Paper or Fee

Transmitted herewith is a Response to the Office Action mailed December 3, 2003, in the
above-identified application:

☒ No additional claims fee is required.

CLAIMS AS AMENDED

	NUMBER AFTER AMEND- MENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	NUMBER OF EXTRA CLAIMS PRESENTED		RATE			FEE	
					SMALL ENTITY	OTHER ENTITY		SMALL ENTITY	OTHER ENTITY
TOTAL CLAIMS	7	- 48	- 0	x	\$9	\$18	=	\$0.00	\$0.00
INDEPEN- DENT CLAIMS	2	- 14	- 0	x	\$42	\$84	=	\$0.00	\$0.00
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM		YES	X NO		\$140	\$280	=	\$0.00	\$0.00
					TOTAL ADDITIONAL FEE			\$0.00	\$0.00

☐ Please charge my Deposit Account No. 502624 the amount of \$ _____. A duplicate
copy of this sheet is enclosed.

☒ The Commissioner is hereby authorized to charge payment of any fees associated with
this communication or credit any overpayment to Deposit Account No. 502624. A
duplicate copy of this sheet is enclosed.

☒ The Commissioner is hereby authorized to charge to Deposit Account No. 502624 any
fees under 37 CFR 1.17 which may be required under 37 CFR 1.136(a)(3) for an
extension of time in any concurrent or future reply requiring a petition for extension of
time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

Date: March 3, 2004

David A. Gay
David A. Gay
Registration No. 39,200
McDERMOTT, WILL & EMERY
4370 La Jolla Village Drive, Suite 700
San Diego, California 92122
Telephone (858) 643-1411
Facsimile (858) 597-1585



PATENT
Client-Matter No.: 66797-73

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

MAR 09 2004

In re application of:
Watkins and Huse

Serial No.: 09/203,768

Filed: December 2, 1998

For: TUMOR SPECIFIC HUMAN
MONOCLONAL ANTIBODIES
AND METHODS OF USE

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

) Confirmation No.: 4594

) Group Art Unit: 1642

) Examiner: Larry R. Helms

) CERTIFICATE OF MAILING BY "EXPRESS MAIL"
) "EXPRESS MAIL" MAILING LABEL NUMBER: EV 401 711 572 US
) DATE OF DEPOSIT: March 3, 2004

) I HEREBY CERTIFY THAT THIS PAPER OR FEE IS BEING DEPOSITED
) WITH THE UNITED STATES POSTAL SERVICE "EXPRESS MAIL POST
) OFFICE TO ADDRESSEE" SERVICE UNDER 37 CFR 1.10 ON THE DATE
) INDICATED ABOVE AND IS ADDRESSED TO COMMISSIONER FOR
) PATENTS, P.O. BOX 1450, ALEXANDRIA, VIRGINIA 22313-1450.

Leonard Bartolacci
Printed Name of Person Mailing Paper or Fee

[Signature]
Signature of Person Mailing Paper or Fee

RESPONSE TO OFFICE ACTION

Responsive to the Office Action mailed December 3, 2003, entry of the below
Amendments and consideration of the following Remarks is respectfully requested.

Amendments to the claims begin on page 2 of this paper.

Remarks begin on page 4 of this paper.

AMENDMENTS

Please cancel claim 5 without prejudice.

Please amend the claims as follows:

1. (previously amended) A human monoclonal antibody or functional fragment thereof, comprising the amino acid sequence of SEQ ID NO:2, or having a conservative substitution of an amino acid thereof, and the amino acid sequence of SEQ ID NO:4, or having a conservative substitution of an amino acid thereof, wherein said antibody or functional fragment thereof binds a neoplastic cell or antigen thereof and wherein said antibody or functional fragment thereof having a conservative substitution of an amino acid binds the same neoplastic cell or antigen thereof as said antibody or functional fragment comprising SEQ ID NOS:2 and 4.

2. (original) The human monoclonal antibody of claim 1, wherein said functional fragment is selected from the group consisting of Fv, Fab, Fab', or F(ab')₂.

3. (original) The human monoclonal antibody or functional fragment of claim 1, further comprising a label.

4. (original) The human monoclonal antibody or functional fragment of claim 3, wherein said label comprises a cytotoxic or cytostatic agent.

Claim 5 canceled.

6. (previously amended) A human monoclonal antibody of functional fragment thereof, comprising a heavy chain variable region having the three CDR sequences of the amino acid sequence of SEQ ID NO:2, or having a conservative substitution of an amino acid thereof, and a light chain variable region having the three CDR sequences of the amino acid sequence of SEQ ID NO:4, or having a conservative substitution of an amino acid thereof, wherein said antibody or functional fragment thereof binds a neoplastic cell or antigen thereof and wherein said antibody or functional fragment thereof having a conservative substitution of

Inventor(s): Watkins and Huse
Serial No.: 09/203,768
Filed: December 2, 1998
Page 3

an amino acid binds the same neoplastic cell or antigen thereof as said antibody or functional fragment comprising SEQ ID NOS:2 and 4.

47. (previously presented) The human monoclonal antibody or functional fragment of claim 1, further comprising a physiologically acceptable compound.

48. (previously presented) The human monoclonal antibody of claim 1, wherein said human monoclonal antibody is purified.